

AO 91 (Rev. 01/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

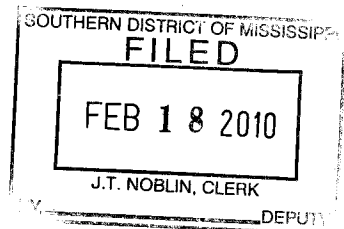
for the  
Southern District of Mississippi

United States of America

v.

SERGIO ANTONIO NEWLAND a/k/a Anthony Waite

Case No. 1:10-mj-10

*Defendant*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of Feb 10, 2010 in the county of Harrison in the Southern District of MS, Southern Division, the defendant violated 18 U. S. C. § 1542, an offense described as follows:

Defendant did knowingly and intentionally use or attempt to use a passport that had been secured by reason of a false statement, in violation of Title 18, United States Code, Section 1542.

This criminal complaint is based on these facts:

**SEE ATTACHED AGENT AFFIDAVIT.**☒ Continued on the attached sheet.

*Complainant's signature*

GARDNER DUMAN, SA, U.S. Dept of State

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 18-Feb-2010
*Judge's signature*City and state: Gulfport, MS

John M. Roper, Chief U.S. Magistrate Judge

*Printed name and title*

AFFIDAVIT

1. I, Gardner Duman, being duly sworn, state that I am a Special Agent with the U.S. Department of State's Diplomatic Security Service. My duties include conducting investigations into criminal violations of the federal statutes governing the issuance and the use of U.S. passports and other travel documents used to transit international borders.

2. The facts set forth below are based upon my own knowledge and personal observations, as well as information and documents provided to me in my official capacity concerning the activities of a person posing as a naturalized U.S. citizen from Panama.

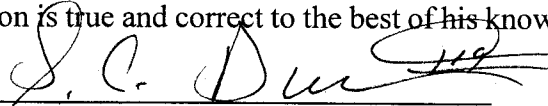
3. On February 10, 2010, a Department of Homeland Security (DHS) Detention and Removal Officer (DRO) informed affiant that **SERGIO ANTONIO NEWLAND** was in possession of U.S. passport 712262191 in the name of Anthony Waite with a date of birth of July 16, 1956 and a place of birth of Panama. According to DRO, **NEWLAND** was also in possession of a fraudulent copy of a U.S. Naturalization Certificate 14901845 in the name of Anthony Waite with a date of birth of July 16, 1956 and a place of birth of Panama. According to DHS records, the Alien registration number (084006372) associated with the above stated naturalization certificate belongs to a Maria Adriana Estevane Lopez with a date of birth of May 7, 1935, and with a place of birth and nationality of Mexico.

4. A U.S. Department of State records check indicated that **NEWLAND** applied for and received U.S. passport 712262191 from the U.S. Embassy in Panama on June 19, 2007 in the name of Anthony Waite. Records also indicated that as proof of U.S. citizenship, **NEWLAND** submitted U.S. Naturalization Certificate number 14901845 in the name of Anthony Waite. [According to DHS records, Anthony Waite was not naturalized on June 16, 1992. Furthermore, DHS records indicated that the A # 84006372 would not have been issued until 2004 or 2005."]

5. According to DHS records **NEWLAND** was not a United States citizen, and therefore was unable to obtain a United States passport. Records further indicated that **NEWLAND** was a citizen and national of Panama. Furthermore, **NEWLAND**'s fingerprints are associated with FBI # 234599EA7.

6. Based on the aforementioned facts, affiant believes the individual named **SERGIO ANTONIO NEWLAND** a/k/a Anthony Waite received and used U.S. passport 712262191 in the name of Anthony Waite, is in violation of, Title 18, United States Code, § 1542, false statement in the application and use of a U.S. passport.

Affiant swears that the above information is true and correct to the best of his knowledge.

  
GARDNER DUMAN, Special Agent  
Diplomatic Security Service  
U.S. Department of State

Sworn to before me, and subscribed in my presence, this 19<sup>th</sup> day of February 2010.

  
CHIEF U.S. MAGISTRATE JUDGE